



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of : **Confirmation No. 3527**
Hirofumi KUROSAKI : Docket No. 2001-1176A
Serial No. 09/931,870 : Group Art Unit 1761
Filed August 20, 2001 : Examiner Chhaya D. Sayala

A METHOD FOR CHEMICALLY
RECYCLING ORGANIC GARBAGE,
MATERIALS MADE OF THE
RECYCLED ORGANIC GARBAGE AND
A RECYCLING DEVICE USED THEREFOR

RESPONSE

THE COMMISSIONER IS AUTHORIZED
TO GRANT A PETITION FOR THE
EXTENSION OF TIME TO FILE A
RESPONSE TO THIS ACTION.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action of September 9, 2003 (the time for responding thereto being extended for one month in accordance with a Petition for Extension submitted herewith), constituting a restriction requirement among (I) claims 1-3 and 6, (II) claims 4-5, (III) claim 7 and (IV) claim 8, Applicant hereby elects, with traverse, the subject matter of Group I, i.e. claims 1-3 and 6.

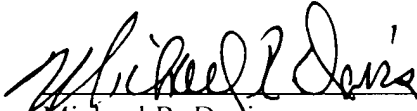
On page 3 of the Office Action, the Examiner sets forth a requirement for an election of species between fertilizer and concrete reinforcing material. It appears that this requirement for an election of species applies only if Applicant was to elect the Group III subject matter, i.e. claim 7, which is directed to a concrete reinforcing material or soil fertilizer. Since Applicant has not elected claim 7, there appears to be no need for an election of species. Nevertheless, if such an election is required, Applicant elects fertilizer. Claim 7 reads on the elected species.

The election herein is without prejudice to Applicant's right under 35 U.S.C. §121 to file a divisional application for the non-elected subject matter.

Action on the merits is requested.

Respectfully submitted,

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